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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/629,051	07/31/2000	Brenda Gates Spielman	95-443	5185
23164	7590	10/22/2003	EXAMINER	
LEON R TURKEVICH 2000 M STREET NW 7TH FLOOR WASHINGTON, DC 200363307			CHOWDHARY, ANITA	
			ART UNIT	PAPER NUMBER
			2153	

DATE MAILED: 10/22/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>
	09/629,051	SPIELMAN ET AL.
<b>Examiner</b>	<b>Art Unit</b>	
Anita Choudhary	2153	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

1) Responsive to communication(s) filed on 31 July 2000 .

2a) This action is FINAL.                            2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

4) Claim(s) 1-69 is/are pending in the application.

4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

5) Claim(s) \_\_\_\_\_ is/are allowed.

6) Claim(s) 1-69 is/are rejected.

7) Claim(s) \_\_\_\_\_ is/are objected to.

8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on 31 July 2000 is/are: a) accepted or b) objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11) The proposed drawing correction filed on \_\_\_\_\_ is: a) approved b) disapproved by the Examiner.

If approved, corrected drawings are required in reply to this Office action.

12) The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) All b) Some \* c) None of:

1. Certified copies of the priority documents have been received.

2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_ .

3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

a)  The translation of the foreign language provisional application has been received.

15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

1) Notice of References Cited (PTO-892)

2) Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) Information Disclosure Statement(s) (PTO-1449) Paper No(s) 3.4 .

4) Interview Summary (PTO-413) Paper No(s) \_\_\_\_\_ .

5) Notice of Informal Patent Application (PTO-152)

6) Other: \_\_\_\_\_ .

**DETAILED ACTION**

Claims 1-69 are pending.

***Priority***

No claim to priority has been made in this application.

The effective filing date for the subject matter defined in the pending claims in the application is July 31, 2000.

***Drawings***

This application lacks formal drawings. The informal drawings filed in this application are acceptable for examination purposes. If the application is allowed, applicant will be required to submit new formal drawings. In unusual circumstances, the formal drawings from the abandoned parent application may be transferred by the grant of a petition under 37 CFR 1.182.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-69 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lazaridis et al. (US 6,463,464) in view of Bezaire et al. (US 5,758,088).

In referring to claim 1, 20, 30, and 39, Lazaridis shows a system for pushing messages from a host system to a mobile device via redirector software and wireless gateway. A message can be sent from a network computer and received by a server (fig. 2) to be redirected to a destination address of a mobile device. The message is repackaged to include a redirected destination address corresponding to mobile device. Lazaridis shows:

- Obtaining message sent from source (26, 28) using a first network protocol (e.g. e-mail), the message specifying a recipient and information (message C, col. 5 lines 51-55, col. 7 lines 38-52).
- Accessing redirector program using second protocol for information specifying subscriber notification preference (trigger points) for specified notification recipient (col. 8 lines 6-38).
- Generating a notification delivery message (message B) based on subscriber preferences that specify a destination address of a notification device (mobile computer 24) for the notification recipient and at least a corresponding selected portion of the notification information (col. 8 lines 63- col. 9 line5).
- Outputting using a third protocol a notification delivery message (E-mailing repackaged message B) to a selected notification delivery process (wireless gateway 20) for delivery of the notification information to the notification device (mobile computer 24) according to device protocol (col. 13 lines 5-25).  
*multiple gateways?*

Although Lazaridis shows substantial features of the claimed invention, Lazaridis does not explicitly show selecting process from a group of duplicate processes for sending notification information, nonetheless this feature is well known in the art, and would have been an obvious modification to the system disclosed by Lazaridis as evidenced by Bezaire.

In an analogous art, Bezaire shows a system for forwarding messages to mobile device via a message server and gateway. A user registers its device at the wireless service provider allowing the wireless service provider to reach the user at the device. Bezaire shows:

- A notification delivery process (wireless gateway server 18) including a group of duplicate processes (within wireless service provider 22) each configured for sending the notification information to the notification device (wireless device 24) according to the device protocol, the outputting step including selecting one of the duplicate processes as the selected one notification delivery process (col. 4 lines 35-39).

Given this feature, a person of ordinary skill in the art would have readily recognized the desirability and advantages of modifying the system disclosed by Lazaridis in order to employ the features shown by Bezaire in order for dissimilar wireless and mobile devices to receive messages that match the devices capabilities (see col. 1 lines 34-52).

In referring to claim 2, 21, 31, and 40, Lazaridis shows notification message from SMTP based mailbox configured for receiving e-mail messages as notification message from notification subscriber (col. 10 lines 61-65).

In referring to claim 3, 19, 22, 33, 41, 57, 62, and 69, Lazaridis shows directory according to LDAP as second protocol for subscriber information (col. 8 lines 6-38).

In referring to claim 4, 23, 32 and 42, Lazaridis shows IMAP as first protocol for receiving notification message (col. 10 line 61- col. 11 line 13).

In referring to claim 5, 8, 24, 27, 34, 43, and 46, Lazaridis shows sending notification delivery message (message B) according to SMTP protocol as the third network protocol (col. 10 lines 61-65).

In referring to claim 6, 9, 25, 28, 44, and 47, Bezaire shows, selecting step for selecting one process from a group of processes by accessing a table configured for storing SMTP addresses assigned to process (fig. 3 step 10-18).

In referring to claim 7, 10, 26, 29, 45, and 48, Bezaire shows selecting one process based on specified at least one notification recipient (fig. 2 step 24, col. 5 lines 31-48).

In referring to claim 11, 49, 58, and 63, in addition to claim 1 above, Lazaridis shows:

- Initiating notification process (redirection process at host 10), each notification process configured to retrieving according to a network protocol (e-mail) a notification message from primary message store (fig. 3, 40), each notification message specifying at least one notification recipient and corresponding notification information (standard e-mail message with destination address and e-mail data), each notification process configured for accessing a directory (col. 8 lines 6-38) according to protocol for notification preferences (trigger events), and generating a notification delivery message (message B) specifying a destination address or the notification device (col. 8 line 63- col. 9 line 5).
- Second providing notification source with destination address information for providing the notification message to the primary message store (sender and destination address in an incoming e-mail message C).

Bezaire shows:

- Initiating notification delivery processes (wireless service providers 22), each configured for retrieving using a third protocol (e-mail) a corresponding received notification delivery message from a corresponding secondary message store (mail server 18) and supplying a

corresponding notification to device according to protocol based on received notification delivery message (col. 4 lines 20-39).

- First providing each notification process with destination address information for providing the notification delivery message to the secondary message store (18) (col. 3 lines 52- col. 4 line 19).

In referring to claim 12, 50, 59, and 64, Lazaridis shows step for supplying each notification process with a retrieval address for retrieving notification messages from primary message store (col. 9 lines 41-58).

In referring to claim 13, 51, 60, and 65, Bezaire shows the second initiating step including supplying each notification process with a retrieval address for retrieving notification messages from secondary message store (18) (cool. 3 lines 18-25).

In referring to claim 14-17, 52-55, 66, and 67, Lazaridis shows a server providing a third and fourth instance of the notification process (redirection process) with each subsequent e-mail message sent, therefore providing the notification source and destination address in the e-mail message, to be stored in primary message store (40) and accessible by another instance of the notification process (redirection process) (col. 9 lines 41-58).

In referring to claim 18, 56, 61, and 68, Lazaridis shows first and third open protocol each being IMAP protocol (col. 10 line 61- col. 11 line 14).

In referring to claim 35, Lazaridis shows a SMTP based mailbox for receiving notification messages from source, wherein the notification source is configured for periodically obtaining the notification message according to IMAP (col. 7 lines 38-52, col. 9 lines 41-58).

In referring to claim 36, Bezaire shows a secondary SMTP-based mailbox (at wireless gateway server) for receiving notification delivery messages for the respective notification delivery processes (wireless service provider 22), each delivery process accessing its corresponding SMTP-based mailbox for the corresponding notification delivery message (col. 3 lines 18-25).

In referring to claim 37 and 38, Lazaridis shows multiple host system for obtaining multiple notification messages having been sent from a notification source (26, 28) using a first network protocol and in response outputting the notification message to at least one of the notification delivery process (wireless gateway) based on subscriber notification preferences (triggers) information retrieved from redirector program (col. 7 lines 38-52, col. 8 line 63- col. 9 line 5).

A second primary mailbox (40) at another host system for receiving the second notification message from notification source, the second notification process configured for periodically obtaining the notification message according to IMAP protocol (col. 7 lines 38-52, col. 9 lines 41-58).

### *Conclusion*

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anita Choudhary whose telephone number is (703) 305-5268. The examiner can normally be reached on 9am-5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glenton Burgess can be reached on (703) 305-4792. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

AC  
October 16, 2003



Dung C. Dinh  
Primary Examiner